



041504

7698 U.S. PTO

## UTILITY PATENT APPLICATION TRANSMITTAL

Submit an original and a duplicate for fee processing  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Attorney Docket No. 04-378 (400.150)  
First Named Inventor James McSwiggen  
Express Mail No. EV 334647675 US

22390 U.S. PTO  
10/825485

041504

## APPLICATION ELEMENTS

1. ☒ Transmittal Form with Fee
2. ☒ Specification (including claims and abstract) [Total Pages 158]
3. ☒ Drawings [Total Sheets 24]
4. ☐ Oath or Declaration [Total Pages ]
  - a. ☐ Newly executed
  - b. ☐ Copy from prior application

**[Note Boxes 5 and 18 below]**

  - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5. ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☒ Application Data Sheet (See 37 CFR 1.76)
7. ☐ Computer Code Listing (See 1.96)
  - a. ☐ Microfiche Appendix
  - b. ☐ CD-Rom (in duplicate, with separate transmittal)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy
  - c. ☐ Statement verifying above copies
9. ☒ Small Entity Status
  - ☒ is claimed
  - ☒ Statement filed in prior application; status still proper and desired
  - ☐ is no longer claimed.

## ACCOMPANYING APPLICATION PARTS

10. ☐ Assignment Papers
11. ☐ Power of Attorney
12. ☐ English Translation Document (if applicable)
13. ☐ Information Disclosure Statement (IDS)
  - ☐ PTO-1449 Form
  - ☐ Copies of IDS Citations
14. ☐ Preliminary Amendment
15. ☒ Return Receipt Postcard (Should be specifically itemized)
16. ☐ Certified Copy of Priority Document(s)
17. ☐ A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i)
18. ☐ Other:

19. ☒ This is a CONTINUING APPLICATION. Please note the following:

a. ☐ This is a ☐ Continuation ☐ Divisional ☒ Continuation-in-part of prior U.S. Patent Application Serial No. 10/757,803 (pending), filed January 14, 2004, which is a continuation-in-part of U.S. Patent Application No. 10/720,448(pending), filed November 24, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/693,059(pending), filed October 23, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/444,853(pending), filed May 23, 2003, which is a continuation-in-part of International Patent Application No. PCT/US03/05346, filed February 20, 2003, and a continuation-in-part of International Patent Application No. PCT/US03/05028, filed February 20, 2003, both of which claim the benefit of U.S. Provisional Application No. 60/358,580 filed February 20, 2002, U.S. Provisional Application No. 60/363,124 filed March 11, 2002, U.S. Provisional Application No. 60/386,782 filed June 6, 2002, U.S. Provisional Application No. 60/406,784 filed August 29, 2002, U.S. Provisional Application No. 60/408,378 filed September 5, 2002, U.S. Provisional Application No. 60/409,293 filed September 9, 2002, and U.S. Provisional Application No. 60/440,129 filed January 15, 2003. This application is also a continuation-in-part of US Patent Application No. 10/427,160(pending), filed April 30, 2003 and International Patent Application No. PCT/US02/15876 filed May 17, 2002.

- b. ☐ Cancel in this application original claims of the prior application before calculating

the filing fee. (At least one claim must remain.)

- c. ☐ Amend the specification by inserting before the first line the sentence:  
This is a ☐ continuation ☐ divisional ☐ continuation-in-part  
of application Serial No. .
- d. ☐ The prior application is assigned of record to

**UTILITY PATENT APPLICATION TRANSMITTAL**

Attorney Docket No. 04-378 (400.150)

**APPLICATION FEES**

|   |                     |                     |             |                  |
|---|---------------------|---------------------|-------------|------------------|
| <b>BASIC FEE</b>  |                     |                     |             | \$ 770.00        |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b> | <b>RATE</b> |                  |
| Total Claims  | 35 - 20 =           | 15                  | x \$18.00   | \$ 270.00        |
| Independent Claims  | 1 - 3 =             |                     | x \$86.00   | \$               |
| <input type="checkbox"/> Multiple Dependent Claims(s) if applicable |                     |                     | +\$290.00   | \$               |
| Total of above calculations =                                       |                     |                     |             | \$ 1040.00       |
| Reduction by 50% for filing by small entity =                       |                     |                     |             | \$(520.00)       |
| <input type="checkbox"/> Assignment fee if applicable               |                     |                     | +\$40.00    | \$               |
| <b>TOTAL =</b>  |                     |                     |             | <b>\$ 520.00</b> |

20. ☒ Please charge my Deposit Account No. 13-2490 in the amount of \$

21. ☒ A check in the amount of \$520.00 is enclosed.

22. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a. ☒ Fees required under 37 CFR 1.16.  
b. ☒ Fees required under 37 CFR 1.17.  
c. ☒ Fees required under 37 CFR 1.18.

23. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

**24. CERTIFICATE OF MAILING**

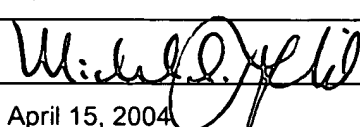
I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

**25. USPTO CUSTOMER NUMBER**

**20306**

**McDonnell Boehnen Hulbert & Berghoff LLP**

**26. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|           |   |
|-----------|---|
| Name      | Michael S. Greenfield   |
| Reg. No.  | 37,142  |
| Signature |  |
| Date      | April 15, 2004  |